

REMARKS

Claims 26-31 have been rejected and claims 45-47 have been withdrawn.
Claims 32-44 have been allowed.

Claims 26 has been rejected under 35 U.S.C. 112, second paragraph, and are being amended have been amended to overcome the rejection. Claim 43 is amended to correct an informality. Claims 45-47 have been withdrawn as non-elected and are being cancelled without prejudice to their being pursued in a divisional application. In view of the foregoing amendments and the following remarks, Applicants respectfully submit that the application is in complete condition for allowance and request reconsideration in this regard.

More specifically, claims 26-31 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Independent Claim 26 referred to "the filter/detector" which had no antecedent basis. Applicants have amended independent Claim 26 to replace "the filter/detector with "the means for detecting the inter-modulation product." Additionally, Applicants have amended independent Claim 26 to specify that "said coupled means" are the means that are "programmed." Applicants respectfully submit that Claims 26-31, as amended, are definite and distinct.

Previously allowed Claim 43 was missing a period. This has now been corrected. Applicants respectfully submit that this amendment does not materially change the meaning of Claim 43.

Applicants respectfully submit that the foregoing is a full and complete response to the Office Action mailed on June 13, 2007. Applicants also respectfully submit that the pending claims are patentable for the reasons discussed above. If the Examiner believes any matter requires further discussion, the Examiner is respectfully invited to telephone the undersigned attorney so that the matter may be promptly resolved.

Applicants believe that no fees are due in connection with this response. However, if such petition is due or any fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to deposit account 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

/Joseph R. Jordan/

Joseph R. Jordan, Reg. No. 25,686

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324 (voice)
(513) 241-6234 (facsimile)
jjordan@whepatent.com (e-mail)